

Panaji, 4th April, 2013 (Chaitra 14, 1935)

SERIES II No. 1

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 52 dated 28-03-2013 namely, Extraordinary dated 31-03-2012 from pages 1755 to 1756 regarding Notification from Department of Finance (Revenue & Control Division).

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 8/9/2012-13/D.Aagri/82

Government is pleased to promote the following Assistant Agriculture Officers (AAO) to Agriculture Officers (AO), Group 'B' Gazetted, in the Pay Band—II of Rs. 9,300-34,800+Rs. 4,600/-Grade Pay with immediate effect purely on ad hoc basis initially for a period of one year or till the posts are filled on regular basis whichever is earlier.

- 1) Smt. Janice Flossy Gomes.
- 2) Shri Pramod Joshi.
- 3) Smt. Vismita Marathe.
- 4) Shri Prasad Parab.
- 5) Shri Shivdas Gaonkar (ST).

On promotion they are posted as under:

Sr. No.	Name of the Officer & designation	Present posting	Proposed posting on promotion on ad hoc basis as Agriculture Officers
1	2	3	4
1.	Smt. Janice Flossy Gomes, AAO	Zonal Agricultural Office, Margao	Posted as Zonal Agriculture Officer, Zonal Agricultural Office, Quepem vice Shri Rajesh Desai transferred.
2.	Shri Pramod Joshi, AAO	Zonal Agricultural Office, Valpoi	Posted against vacant post of Farm Superintendent, Government Agricultural Farm, Codar-Ponda.

1	2	3	4
3.	Smt. Vismita Marathe, AAO	Zonal Agricultural Office, Margao	Posted against vacant post of Agriculture Officer (Training), Farmers Training Centre, Ela Old Goa.
4.	Shri Prasad Parab, AAO	Zonal Agricultural Office, Mapusa	Posted as Zonal Agriculture Officer, Zonal Agricultural Office, Pernem vice Shri Anil D. Noronha transferred.
5.	Shri Shivdas Gaonkar (ST), AAO	Zonal Agricultural Office, Canacona	Posted as Zonal Agriculture Officer, Zonal Agricultural Office, Dharbandora vice Shri Girish Kenkre transferred.

The above ad hoc promotion will not bestow on the above officers any claim for regular promotion and the service rendered on ad hoc basis in the grade will not count for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

Sd/- (S. S. P. Tendulkar), Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 28th March, 2013.

Order

No. 8/9/2012-13/D.Aagri/85

Government is pleased to transfer on deputation the below mentioned Group 'B' Gazetted Officers of this Department on deputation to Goa Tillari Irrigation Development Corporation against the vacant posts of Agriculture Officers in the pay scale

of Pay Band—II Rs. 9,300-34,800+Rs. 4,600/- Grade Pay with immediate effect.

Sr. No.	Name of the Officer & designation	Present posting
1	2	3
1.	Shri Anil D. Noronha, Zonal Agriculture Officer, Pernem	Zonal Agricultural Office, Pernem.
2.	Smt. Shoban Ugvenkar, Agriculture Officer (Coconut)	Directorate of Agriculture, Tonca, Caranzalem.

The deputation period shall be initially for a period of two years with effect from the date of taking over the charge. The deputation period, can be extended or curtailed as per the requirement by the Government.

The deputation of Shri Anil Noronha and Smt. Shoban Ugvenkar shall be governed under standard terms and conditions of deputation of Goa Tillari Irrigation Development Corporation and Government issued vide OM No. 13/4/74-PER dated 12-02-1999 and amended from time to time.

This is issued with the concurrence of the Government vide U.O. No. 2303 dated 7-3-2013.

By order and in the name of the Governor of Goa.

Sd/- (S. S. P. Tendulkar), Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 28th March, 2013.

Order

No. 8/9/2012-13/D.Agr/86

Government is pleased to transfer and post the following Agriculture Officers, Group 'B' Gazetted to station indicated below in public interest with immediate effect.

Sr. No.	Name of the Officer & designation	Present posting	Proposed posting on transfer
1	2	3	4
1.	Shri Girish Kenkre, ZAO	Zonal Agricultural Office, Dhar-bandora	Transferred and posted as Agriculture Officer (Hort), Directorate of Agriculture, Tonca, Caranzalem.

1	2	3	4
2.	Shri Rajesh Dessai, ZAO	Zonal Agricultural Officer, Quepem	Transferred and posted as Farm Superintendent, Government Agriculture Farm, Kalay, Sanguem

This is issued with approval of Government vide U.O. No. 2303 dated 07-03-2013.

By order and in the name of the Governor of Goa.

Sd/- (Satish S. P. Tendulkar), Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 28th March, 2013.

Order

No. 8/73/2012-13/D.Agr/81

Government of Goa is pleased to transfer Shri P. Tufani, Dy. Director of Agriculture (PP) at Headquarters Panaji and post him against the vacant post of Programme Co-ordinator, Krish Vigyan Kendra, South Goa at Margao.

Shri Tufani shall hand over the charge of Dy. Director of Agriculture (PP), to his link Officer, Shri U. B. Pai Kakode, Dy. Director of Agriculture (Agron).

Shri Tufani shall stand relieved of his duties, as Dy. Director of Agriculture (PP) on 1st April, 2013 (B.N.).

By order and in the name of the Governor of Goa.

Sd/- (Satish S. P. Tendulkar), Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 28th March, 2013.



Department of Co-operation

Office of the Asstt Registrar of Co-operative Societies

Notification

No. 5-1496-2013-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Casa Blanca Co-operative Housing Society Limited," Sasmollem, Baina, Vasco-da-

-Gama Goa is registered under code symbol No. HSG-(b)-878/South-Goa/2012.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 15th January, 2013.

Certificate of Registration

"The Casa Blanca Co-operative Housing Society Limited," Sasmollem, Baina, Vasco-da-Gama, Goa has been registered on 15-1-2013 and it bears registration code symbol No. HSG-(b)-878/South-Goa/2012 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 15th January, 2013.

Notification

No. 5-1486-2012-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Sapna Exotica Co-operative Housing Society Limited," Majorda, Salcete, Goa is registered under code symbol No. HSG-(b)-872/South-Goa/2012.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 30th November, 2012.

Certificate of Registration

"The Sapana Exotica Co-operative Housing Society Limited," Majorda, Salcete, Goa has been registered on 30-11-2012 and it bears registration code symbol No. HSG-(b)-872/South-Goa/2012 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 30th November, 2012.

Notification

No. 5-1498-2013-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Kayji Heights Co-operative Housing Maintenance Society Limited," Aquem,

Baixo, Margao-Goa is registered under code symbol No. HSG-(d)-879/South-Goa/2013.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 5th February, 2013.

Certificate of Registration

"The Kayji Heights Co-operative Housing Maintenance Society Limited," Aquem, Baixo, Margao-Goa, has been registered on 5-2-2013 and it bears registration code symbol No. HSG-(d)-879/South-Goa/2013 and it is classified as "Housing Society" under sub-classification No. 7-(d)-Co-operative Housing Maintenance Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 5th February, 2013.

Notification

No. 5-1487-2012-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Sapna Majestic Co-operative Housing Society Limited," Fatorda, Margao-Goa is registered under code symbol No. HSG-(b)-873/South-Goa/2012.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 30th November, 2012.

Certificate of Registration

"The Sapana Exotica Co-operative Housing Society Limited," Majorda, Salcete-Goa has been registered on 30-11-2012 and it bears registration code symbol No. HSG-(b)-873/South-Goa/2012 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 30th November, 2012.

Notification

No. 5-1485-2012-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Balama Gallery Co-operative

Housing Maintenance Society Ltd.," Gogol Margao-Goa is registered under code symbol No. HSG-(d)-871/South-Goa/2012.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 20th November,, 2012.

Certificate of Registration

"The Balama Gallery Co-operative Housing Maintenance Society Ltd.," Gogol, Margao-Goa has been registered on 20-11-2012 and it bears registration code symbol No. HSG-(d)-871/South Goa/2012 and it is classified as "Housing Society" under sub-classification No. 7-(d)-Co-operative Housing Maintenance Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 20th November, 2012.

Notification

No. 5-1457-2012-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Aisha Co-op. Housing Society Ltd.," Colmorod, Navelim, Salcete-Goa is registered under code symbol No. HSG-(b)-859/South-Goa/2012.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 9th August, 2012.

Certificate of Registration

"The Aisha Co-op. Housing Society Ltd.," Colmorod, Navelim, Salcete-Goa, has been registered on 9-8-2012 and it bears registration code symbol No. HSG-(b)-859/South-Goa/2012 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 9th August, 2012.

Corrigendum

No. 1-3-71/EST/RCS/Part/Vol.II/791

Read: Order No. 1-3-71/EST/RCS(Part)VOL.II dated 7-3-2013.

The posting of the officer at Sr. No. 1, page 1 of the above referred order may be read as "Asstt. Registrar of Co-op. Societies, Central Zone, Panaji" instead of "Asstt. Registrar of Co-op. Societies, Ponda Zone, Ponda".

Also Shri V. B. Devidas, Asstt. Registrar of Co-op. Societies, Ponda Zone, Ponda transferred to the office of Asstt. Registrar of Co-op. Societies, Central Zone, Panaji in the above referred order stands retained in the office of Asstt. Registrar of Co-op. Societies, Ponda Zone, Ponda.

J. B. Bhingui, Registrar of Co-op. Societies & ex officio Joint Secretary.

Panaji, 12th March, 2013.



Department of Education, Art and Culture

Directorate of Art and Culture

Order

Ref. No. DAC/7/RBC/Regist/06/7077

In exercise of the powers conferred under clause 5 of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to appoint Shri Nilesh Cabral, Curchorem-Goa as Chairman of Ravindra Bhavan, Curchorem-Goa with immediate effect.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 25th March, 2013.

Order

Ref. No. DAC/7/RBC/Regist/06/7078

In exercise of the powers conferred under clause 5 of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to appoint Shri Rajoo M. Naik, Curchorem-Goa as Vice-Chairman of Ravindra Bhavan, Curchorem-Goa with immediate effect.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 25th March, 2013.

Order

Ref. No. DAC/7/RBC/Regist/06/7079

In exercise of the powers conferred under clause 5(i) of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to appoint the Chief Officer, Curchorem, Cacora Municipal Council, Curchorem-Goa as the Member Secretary of Ravindra Bhavan, Curchorem-Goa with immediate effect.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 25th March, 2013.

Order

Ref. No. DAC/7/RBC/Regist/06/7080

In exercise of the powers conferred under clause 7(vii) of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to nominate following members on General Council of Ravindra Bhavan, Curchorem-Goa with immediate effect.

1. Shri Rudresh G. Prabhu Tendulkar, H. No. 1092, Shiv Ashirwad, Opp. Power Station, Pontemol, Curchorem-Goa;
2. Shri Jeetendra Alias Navin J. Khandekar, H. No. 712, Saraswati Niwas, Pontemol, Curchorem-Goa;
3. Shri Felix Fernandes, H. No. 1151, Dabamol, Curchorem-Goa;
4. Shri Sanjay D. Prabhu Dessai, H. No. 756, Ghadiwada, Kakoda-Goa;
5. Ms. Jasmina Braganza, H. No. 407/2, Caria-moddi, Curchorem-Goa;
6. Ms. Anita M. Naik, H. No. 480, Khandiwada, Curchorem-Goa;
7. Shri Joquim Fernandes, H. No. 769, Vodlemol, Kakoda, Curchorem-Goa;
8. Shri Jaikumar Damodar Khandekar, H. No. 841/3, Khandiwada, Curchorem-Goa;
9. Shri Bhiku Dattu Prabhu Dessai, H. No. 214, Lingawada, Kakoda, Curchorem-Goa;

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 25th March, 2013.

Department of Finance

Directorate of Accounts

Order

No. DA/Admn/45-2/2013-14/TR-01/01

The deputation period of Shri Lakhu B. Rawal, Dy. Director of Accounts/Accounts Officer in Goa State Urban Development Agency is already over. However, since nothing has been heard from O/o the Member Secretary, Goa State Urban Development Agency, so far, deputation period of Shri Lakhu B. Rawal is hereby further extended upto 30-06-2013 provisionally and subject to receiving an official Communication from the O/o the Member Secretary, Goa State Urban Development Agency, in order to obtain Government approval.

By order and in the name of the Governor of Goa.

G. S. Potekar, Director & ex officio Joint Secretary (Accounts).

Panaji, 1st April, 2013.

Department of Forest**Corrigendum**

No. 4/5/2011/FOR/105

Read: Order No. 4/5/2011/FOR dated 19-02-2013.

In the first para of the Government order read in preamble, the pay scale indicated in the third line shall be substituted to read as "PB—1 Rs. 5,200-20,200+G.P. Rs. 2,400" instead of "Rs. 5,200-20,200+ G.P. Rs. 4,800".

Rest of the content remain unchanged

By order and in the name of the Governor of Goa.

Siddhi Halarnakar, Under Secretary (Forests).

Porvorim, 25th March, 2013.

Department of Home

Home—General Division

Order

No. 2/58/2007-HD(G)/Pt./1113

Read: Order No. 3/16/2007-HD(G) dated 30-01-2013.

In pursuance of the direction issued by the Hon'ble Supreme Court of India in the judgement

passed on 22-09-2006 in Writ Petition (Civil) No. 310 of 1996 in the matter of Prakash Singh and Ors. versus Union of India & Ors. the Government of Goa was pleased to constitute the State Police Complaint Authority vide Order No. 2/51/2006-HD(G) dated 03-04-2007 under the Chairmanship of Retd. Justice Dr. Eurico Satana da Silva and other three members.

And whereas Retd. Justice Dr. Eurico Satana da Silva, Chairman, State Police Complaint Authority has tendered his resignation vide letter dated 25-01-2013 and the other members vide letters dated 28-05-2012 and 28-01-2013.

And whereas the Hon'ble Chief Justice of Bombay High Court has conveyed its consent vide letter dated 21-02-2013 for the appointment of Shri Justice R. M. S. Khandeparkar, former Judge of Bombay High Court as the Chairperson of the State Police Complaint Authority.

Now therefore, Government of Goa is pleased to appoint Shri Justice R. M. S. Khandeparkar, former Judge of Bombay High Court as new Chairperson of the State Police Complaint Authority, State of Goa with effect from the date of assuming the charge on the terms and conditions as specified in order No. 2/51/2006-HD(G)/part dated 01-08-2007.

The tenure of the Chairman shall be for a period of 5 years or till the enactment of the Goa Police Act whichever is earlier.

The pay and allowances shall be debited to Budget Head "2070—Other Administrative Services, 105—Special Commission of Inquiry, 02—State Level Police Complaint Authority, 01—Salaries".

This order supersedes earlier order No. 3/16/2007-HD(G) dated 30-01-2013.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home-I).
Porvorim, 26th March, 2013.

Order

No. 9/15/87-HD(G)/1105

- Read: 1) Notification No. 9/15/87-HD(G) dated 1-12-2000.
2) Order No. 9/15/87-HD(G) dated 28-09-2007.
3) Order No. 9/15/87-HD(G) dated 24-4-2012.

In exercise of the powers conferred by Rule 376 of the Goa Prison Rules, 2006, Government of Goa is pleased to constitute Board of Visitors for the Sub-Jail-Cum-Judicial Lok-up Sada, Vasco as follows:

(1) Non-Official visitors in terms of Rules 378 shall be as follows:

Sr. No.	Name of the Non-Official visitors
1. Mrs. Jennifer Monserrate	... (Women representative) M.L.A., Taleigao.
2. Mr. Naresh Sawal	... M.L.A., Bicholim.
3. Mr. Nilesh Cabral	... M.L.A., Curchorem.
4. Mrs. Ezilda Sapeco	... Chairperson of Women Commission.
5. Ms Neena Rajendra Naik	... (Social Worker).
6. Ms Devbala D. Bhise	... (Social Worker).

(2) The Ex Officio Visitors as per Rule 377 of the Goa Prison Rules, 2006 are as follows:

1. District & Session Judge, South Goa. ... Chairman.
2. District Magistrate, South Goa, Margao.
3. Director General of Police, Panaji.
4. Superintendent of Police (South), Margao.
5. Chief Engineer, Public Works Department, Altinho, Panaji.
6. Director of Industries, Panaji.
7. Director of Agriculture, Panaji.
8. Director of Animal Husbandry & Veterinary Services, Panaji.
9. Director of Education, Panaji.
10. Director of Social Welfare, Panaji.
11. Director of Institute of Psychiatric & Human Behaviour, Bambolim.
12. Director of Health Services, Panaji.

3. In terms of Rule 379(3) of the Goa Prison Rules, the tenure of non-official visitors shall ordinarily be two years and of the Members of Goa State Legislative Assembly shall be one year or till member ceases to be a member of Goa State Legislative Assembly, whichever is earlier.

4. This supersedes the earlier order of even number dated 24-4-2012.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 25th March, 2013.

Department of Industries

Notification

No. 3/19/2013-IND

Whereas, the Government has decided to review and restructure the existing Goa Industrial Policy, 2003.

And whereas, the Government has decided to constitute a Task Force Committee for formulating the Industrial/Investment Policy, 2013 for the State of Goa.

Now, therefore, the Government of Goa hereby constitutes the following Task Force Committee:

- | | |
|--|--|
| 1. Shri Atul D. Pai Kane | Representative of Industries/
/Chairman, CII, Goa. |
| 2. Shri Atul V. Jadhav | Representative of Barge
Owners Assoc. |
| 3. Shri Blais Costabir | Representative of Industries/
/Director (IDC). |
| 4. Dr. Purushottam R. Pednekar | Representative of Pharma-
ceuticals Industry/Director
(EDC). |
| 5. Shri Martin Ghoss | Member GCCI. |
| 6. Shri Gautam Verlekar | Chartered Accountant. |
| 7. General Manager (Industries, Trade & Commerce). | Member Secretary/Convener. |

Shri Atul D. Pai Kane, Chairman, CII, Goa Chapter, will chair the meetings of the Committee. The Committee shall hold deliberations with various stake holders for formulating the draft of the policy.

Terms of Reference:

1. The Task Force Committee after considering all the factors for industrial growth and to attract industrial investment in the State, shall formulate a draft of the proposed Goa Industrial/Investment Policy, 2013.

2. The Task Force Committee will start functioning with immediate effect and a report shall be submitted to the Pr. Secretary (Industries), State of Goa within a period of a month w.e.f. the date of the Notification.

3. Secretarial Assistance shall be provided by the Directorate of Industries, Trade and Commerce, Government of Goa.

4. The members of the above Committee shall not be entitled for travelling allowances/ /Dearness Allowance except with the prior approval of Government, on a case to case basis.

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Industries).

Porvorim, 25th March, 2013.

Department of Labour

Notification

No. 28/1/2013-Lab/98

The following award passed by the Labour Court-II, at Panaji-Goa on 16-01-2013 in reference No. IT/76/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 27th February, 2013.

THE LABOUR COURT - II GOVERNMENT OF GOA AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/76/07

Shri Alex Calado,

H. No. 101, Mungru Poi,

Verna, Salcete-Goa.

... Workman/Party I

V/s

M/s. Rammi Khanna & Co. Pvt. Ltd.,

Majorda Beach Road,

Majorda, Salcete-Goa.

... Employer/Party II

Party-I/Workman represented by Shri Subhash Naik Jorge.

Party-II/Employer represented by Adv. Shri M. S. Bandodkar.

Panaji, dated: 16-01-2013

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa, by Order dated 29-09-2006, bearing No. 28/08/2006-LAB/702 referred the following dispute for adjudication by Labour Court-II of Goa.

“(1) Whether Shri Alex Calado, Gardener, can be construed as a “Workman” as per Sec. 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?

(4) If the answer to the above issue No. (2) above is in the affirmative, then, whether the severance of the Workman and Employer relationship between Shri Alex Calado and the Management of M/s. Rammi Khanna & Co. Pvt. Limited, Majorda, Salcete, Goa with effect from 14-06-2005, is on account of termination of services of Shri Alex Calado, or on mutually agreed settlement between them?

(5) If the termination of services of Shri Alex Calado, Gardener, is not legal and justified, then, to what relief the Workman is entitled?”

2. On receipt of the reference, a case was registered under No. IT/76/07 and registered A/D notice was issued to the parties. In pursuance to the said notice, the parties put in their appearance. The Workman/Party I (for short ‘Workman’), filed his statement of claim on 03-01-2008 at Exb. 07. The facts of the case in brief as pleaded by the Workman are that he was initially employed as a ‘Gardener’ with M/s. Maharani Guest House. He stated that the property of the said Maharani Guest House was transferred to M/s. Ramesh Hotels & Resorts Pvt. Ltd. having its office at Utorda, Majorda, Salcete-Goa. He stated that his services came to be transferred to M/s. Ramesh Hotels & Resorts Pvt. Ltd. after the dissolution of the firm M/s. Maharani Guest House. He stated that since the year 1996, he was working as a ‘Gardener’ with the said M/s. Ramesh Hotels & Resorts Pvt. Ltd. He stated that he was working alongwith Mr. Natividade Fernandes, Mr. Menino Costa, Mr.

Roque Ferrao and Mr. Andrew Vaz etc. He stated that one Mr. Joe Pereira was the Manager of the said M/s. Ramesh Hotels & Resorts Pvt. Ltd. at the relevant period. He stated that on 10-06-2005, he was issued a letter dated 10-06-2005 signed by one Shri S. V. Balaram claiming to be a constituted Attorney of the Employer having its registered office at 3, Ruia Park, Juhu Beach, Mumbai stating that his services stands terminated w.e.f. 14-06-2005. He stated that it was alleged in the said letter that he was working as a domestic servant. He stated that it was also alleged that the Employer had lost confidence in him and that restructuring is being undertaken and hence his services are not required. He stated that the services of the other co-workers namely Mr. Natividade Fernandes, Mr. Roque Ferrao, Mr. Menino Costa and Mr. Andrew Vaz also came to be terminated at the same time. He stated that the services of some of the co-workers were terminated on the letter head of the Employer and some of the co-workers were terminated on the letter head of M/s. Ramesh Hotels & Resorts Pvt. Ltd., although they were working for M/s. Ramesh Hotels & Resorts Pvt. Ltd. He stated that the directors of both the said companies are same. He stated that prior to their termination of services, they had lodged a police complaint at Verna Police Station alleging that one of the director of M/s. Ramesh Hotels & Resorts Pvt. Ltd. namely Mr. Ramesh Khanna was involved in a rape incident in the hotel premises. He stated that based on the said complaint, the Verna Police conducted an enquiry and the report of the said enquiry was communicated to the Secretary, Governor of Goa vide letter dated 14-09-2005 of the Superintendent of Police, H. Q. Panaji-Goa.

3. He submitted that aggrieved by the decision of the Employer to terminate his services, he raised a demand with the Employer demanding his reinstatement in services with full back wages and continuity in services vide his letter dated 21-06-2005. He stated that in his demand letter dated 21-06-2005, he alleged that the Employer had no authority to terminate his services as he was employed with M/s. Ramesh Hotels & Resorts Pvt. Ltd. He stated that as the Employer did not accept his demand, he raised a dispute before Deputy Labour Commissioner, Margao for conciliation which ended in failure.

4. He contended that since he was employed as a “Gardener” with M/s. Ramesh Hotels & Resorts Pvt. Ltd. since 1996 till the date of his termination i.e. 14-05-2005, neither the Employer nor Shri S. V. Balaram, has authority to terminate his services. He submitted that the termination of his service

is in violation of mandatory provisions of Sec. 25-F, 25-G & Sec. 25-H of the I. D. Act, 1947. He therefore contended that the termination of his services is illegal and unjustified. He submitted that Mr. S. V. Balaram has no authority to terminate his service as he is neither the owner of the Employer nor employed with the Employer or authorized by the Employer to terminate his services. He submitted that as the said complaint was lodged by them, their services came to be terminated w.e.f. 14-06-2005. He submitted that the action of termination of his services is clearly malafide, vindictive and by way of victimization besides being legal and unjustified.

5. He submitted that since the date of his termination of his services, he is unemployed and has no source of income. He submitted that he is depending on his close family members and relations for support during this difficult period. The Workman therefore prayed for his reitstatement in service with full back wages and continuity in services.

6. The Employer filed its written Statement on 24-03-2008 at Exb. 11. The Employer controverted the claim of the Workman preliminarily on the ground that the Party I was working as a 'Garden Helper' at the residential bungalow and the said place cannot be constituted as a commercial or industrial establishment or a factory or an establishment under Shops & Establishment Act as at no point of time any industrial, commercial, manufacturing or any other business activities were carried out at the said residential bungalow. The Employer submitted that the said place where the Party I was working was exclusively used for the residential purpose and therefore, the same cannot be termed as 'industrial establishment'. The Employer therefore submitted that the person working at the residential bungalow as domestic servant cannot be termed as a "Workman" as defined u/s 2(s) of the I. D. Act, 1947. The Employer submitted that the Government has failed to apply its mind while referring the present reference mechanically without asserting whether there exist an employer-employee relationship or that whether there exist an industrial dispute. The Employer submitted that the reference itself is bad-in-law and not maintainable. The Employer submitted that the Party I, having accepted all his dues from the Employer, nothing remains in the matter and no dispute of whatsoever nature exists.

7. The Employer stated that for the purpose of maintenance and looking after the said bungalow, its garden, house-keeping work and for cooking

purpose etc., it had engaged certain domestic servants/helpers. The Employer stated that the Party I was engaged as a domestic servant to work in the said garden as 'Garden Helper'. The Employer submitted that the Party I being a domestic worker, there was no employer-employee relationship between itself and the Party I. The Employer stated that there were no specific rules, regulations or working hours for the said domestic servant. The Employer stated that the Party I alongwith other workers was performing any work connected to the said bungalow, assigned to them by the manager of the said bungalow. The Employer submitted that the owner of the bungalow lost the confidence in him as the Party I alongwith other co-worker had filed a false, defamative and mischievous complaint against the director at Verna Police Station at the behest of Mr. Jose Pereira alias Joe Pereira, tarnishing the image of the owner and its Director and its authorized representative. The Employer stated that a copy of the said false complaint was forwarded to the Office of the Governor of Goa and other authorities. The Employer stated that the police authorities made thorough investigation into the said complaint and submitted their report to the Secretary, Governor of Goa. The Employer stated that the said police authority clearly revealed amongst other things that the Management due to the financial problems wants to dispose off the said property after clearing all the employees. The Employer stated that the aggrieved workers had negotiation with the Management under the leadership of Joe Pereira. The Employer stated that Shri Joe Pereira instigated all the workers and submitted the present petition on account of his illegal gain. The Employer submitted that the Party I being a domestic servant, the provisions of the I. D. Act, 1947 are not applicable to him while dispensing his services or otherwise. The Employer stated that it has terminated the services of the Party I by paying an amount equivalent to notice pay, retrenchment compensation, gratuity, ex-gratia etc. on humanitarian ground though he was not entitled to legally or otherwise. The Employer stated that the Party I had voluntarily accepted the said payment and severed the relation as domestic servant. The Employer stated that the said property of M/s. Ramesh Hotels & Resorts Pvt. Ltd. where the Party I was working has been sold by the Employer. The Employer stated that the bungalow where the Party I was working belongs to its Director and the said working place of the Party I has no link or connection to any manufacturing, commercial or industrial activities. The Employer denied that the Party I was working as a 'Gardener' with M/s. Ramesh

Hotels & Resorts Pvt. Ltd. The Employer submitted that since the Party I is neither a 'Workman' nor dispute raised by him is an 'industrial dispute' within the meaning of the provisions of the I. D. Act, the question of violation of any of the provisions of the said Act including Sec. 25-F, 25-G & 25-H does not arise. The Employer denied the overall case of the Party I as pleaded in his statement of claim filed in the present proceedings and prayed for dismissal of the present reference issued by the Government.

8. Thereafter, the Party I filed his re-joinder on 23-04-2008 at Exb. 12. The Party I by way of his re-joinder reiterates and confirms all the submissions and averments made by him in his claim statement to be true and correct and denies all the statements and averments made by the Employer in its written statement which are contrary and inconsistent with the statements and averments made by him. The Party I submitted that Mr. S. V. Balaram has no authority as well as locus standi to sign and present the written statement on behalf of the Employer nor does he hold a valid power of attorney to represent the Employer in the present reference and as such the matter ought to be proceeded as if no written statement has been filed by the Employer.

9. Based on the pleadings filed by the respective parties in the present proceedings this Court framed the following issues on 17-07-2008 Exb. 15. The issue No. 2-A has been re-casted vide order dated 21-08-2012 disposing off an application of the Party I dated 23-07-2012.

1. *Whether the Workman/Party I proves that he is a "Workman" as defined u/s 2(s) of the I. D. Act, 1947?*
2. *Whether the Workman/Party I proves that there was employer-employee relationship between him and the Party II as contemplated under the Industrial Disputes Act, 1947?*
- 2 A) *Whether the Workman/Party I proves that Shri S. V. Balaram has no authority as well as locus standi to sign and present the written statement on behalf of the Employer?*
3. *Whether the Workman/Party I proves that his termination of services w.e.f. 14-06-2005 by the Party II is illegal and unjustified?*
4. *Whether the Employer/Party II proves that the present Order of reference issued by the Government of Goa is bad-in-law?*
5. *Whether the Workman/Party I proves that he is entitled for any relief?*

6. What Award?

10. My findings to the aforesaid issues are as under.

Issue No. 1	In the Negative.
Issue No. 2	In the Negative
Issue No. 2-A	In the Negative
Issue No. 3	Does not arise
Issue No. 4	In the Affirmative.
Issue No. 5	In the Negative.
Issue No. 6	As per final Order

REASONS

11. Issue No. 2A:

I am deciding the issue No. 2A first prior to the issue Nos. 1 & 2 as the said issue No. 2A decides the very authority of Shri S. V. Balaram on behalf of the Employer to sign and present the written statement.

I have heard the oral arguments of the Ld. Representative Shri Subhash Naik appearing for the Party I as well as Ld. Adv. Shri M. S. Bandodkar appearing for the Employer.

I have carefully perused the entire records of the present case. I have also carefully considered the oral submissions made by Ld. Rep. Shri Subhash Naik appearing for the Party I as well as Ld. Adv. Shri M. S. Bandodkar appearing for the Employer.

12. The Party I challenged the very authority of Shri S. V. Balaram who has signed the written statement as constituted attorney of the Employer of the present proceedings by alleging that Shri S. V. Balaram has no authority as well as locus standi to sign and present the written statement on behalf of the Employer and also to represent the Employer in the present proceedings.

13. The Employer, in order to prove its case, has examined Shri S. V. Balaram and also produced on record a copy of the power of attorney dated 03-01-2002 (Exb. E/1) as well as a copy of the resolution passed in the meeting of the Board of Directors of the Employer Company held on 03-01-2002 (Exb. E/2) in support of its oral evidence. On carefully perusal of a copy of the said resolution passed in the meeting of the Board of Directors of the Employer Company held on 03-01-2002 (Exb. E/2), it reveals that the Employer Company in its Board of Directors' Meeting held on 03-01-2002 resolved to authorize Shri S. V. Balaram as an Attorney to sign and issue necessary appointment and termination letters of the employees, laborers

and consultants of the Company and to attend day-to-day matters of the Company including appointment and termination letters of the employees, laborers and consultants of the Company, etc. Further on carefully perusal of the said Power of Attorney dated 03-01-2002 (Exb. E/1) issued to Shri S. V. Balaram indicates that he is/was duly authorized to sign and issue necessary appointment and termination letters of the employees, laborers and consultants of the Company, to attend day-to-day matters of the Company including appointment and termination letters of the employees, laborers and consultants of the Company and also to represent in legal matters and appoint attorney/advocate in this regard. Thus, the said Power of Attorney as well as a copy of resolution dated 03-01-2002 on record clearly indicates that Shri S. V. Balaram is duly authorized to act on behalf of the Employer Company to perform certain acts stated therein. The meaning of the term "represent" is very wide and it includes signing of the written statement in the present proceedings. Thus, I do not find any merits in the submissions of Ld. Rep. Shri Subhash Naik that Shri S. V. Balaram has no authority to sign and present the written statement on behalf of the Employer and/or to represent the Employer in the present proceedings. It is therefore held that Shri S. V. Balaram is duly authorized to represent the Employer Company. The issue No. 2A is therefore answered in the negative.

14. *Issue Nos. 1, 2 & 4:*

I am deciding the issue Nos. 1, 2 & 4 together as the said issue Nos. 1, 2 & 4 are co-related to each other.

I have heard the oral arguments of the Ld. Representative, Shri Subhash Naik appearing for the Party I as well as Ld. Adv. Shri M. S. Bandodkar appearing for the Employer.

15. Ld. Representative Shri Subhash Naik representing the Party I during the course of his oral argument submitted that the Party I has produced on record an experience certificate (Exb. W/1) issued by M/s. Ramesh Hotels and Resorts Pvt. Ltd. in support of its oral evidence that he was working as 'Gardener' with the said Company since the year 1999 till the date of his termination w.e.f. 14-06-2005. He submitted that the said oral as well as documentary evidence adduced by the Party I on record clearly indicates that the Party I was working as gardener and performing the duties such as planting, weeding, trimming, shaping trees etc., and was also growing orchids and manuring coconut trees as well as saplings. He therefore submitted that the predominant

nature of duties and responsibilities performed by the Party I are semi-skilled in nature and as such the Party I is a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947. He submitted that there exists an employer-employee relationship between the Employer and himself. He relied upon a decision in the case of **Madhya Pradesh Bhavan v/s Shri Shiv Kumar Tiwari and Anr.** of Hon'ble High Court of Delhi.

16. On the contrary, Ld. Adv. Shri M. S. Bandodkar, representing the Employer, during the course of his oral argument submitted that the Party I raised the present dispute pertaining to his non-employment by claiming to be a "Workman" within the meaning of Section 2(s) of the I. D. Act, 1947. The burden to prove that he is a Workman as defined u/s 2(s) of the I. D. Act, is on the Party I. He submitted that the Party I was working as garden helper at the residential bungalow of Mr. Ramesh Khanna who is the Director of the Employer Company. He submitted that there are no commercial activities of whosoever nature being carried out on the said place. He submitted that the said residential bungalow is neither commercial nor industrial establishment nor factory or registered under the G. D. D. Shops and Establishment Act, 1973. He submitted that no industrial or commercial activity was being carried on in the said residential bungalow. He submitted that all the said persons were working at the said residential bungalow as domestic servants and not a "Workman" as defined u/s 2(s) of the I. D. Act, 1947. He submitted that there does not exist any Employer-Employee relationship within the meaning of the said Act. He submitted that the reference therefore is bad-in-law. He relied upon a decision in the case of **Sbantaram Pandurang Jadhav and ors. v/s Kiran Industrial Premises Co-operative Society Ltd.**, of Hon'ble High Court of Bombay reported in **2007 III CLR 418**.

I have carefully perused the entire records of the present case. I have also carefully considered the oral submissions made by Ld. Rep. Shri Subhash Naik appearing for the Party I as well as Ld. Adv. Shri M. S. Bandodkar appearing for the Employer.

17. Being aggrieved by the order of his termination dated 10-06-2005 (Exb. W/2) issued by the Employer, the Party I challenged the same in the present order of reference by contending to be illegal and unjustified. It appears from the written statement filed by the Employer in the present proceedings, the Employer preliminarily controverted the claim of the Party I by alleging that the Party I is not a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947, but he was a domestic

servant working as a “garden helper” at the residential bungalow of its Director namely Shri Ramesh Khanna and the said place cannot be constituted as a commercial or industrial establishment or a factory or an industrial establishment under the G.D.D. Shops and Establishment Act, 1973 and that there does not exist any Employer-Employee relationship between itself and the Party I within the meaning of the said Act. The burden to prove the said issue Nos. 1, 2 & 4 are therefore on the Party I and the Employer respectively.

18. In order to prove his case that he is a “Workman” within the meaning of Section 2(s) of the I. D. Act, 1947, the Party I has examined himself and two witnesses namely Mr. Natividade Fernandes & Mr. Joe Pereira. On the contrary, the Employer has examined Shri S. V. Balaram its authorized signatory.

19. The Employer resisted the claim of the Party I by alleging that the Party I is not a “Workman” within the meaning of Sec. 2(s) of the I. D. Act, 1947. The burden to prove that he is a “Workman” as defined under Section 2(s) of the I. D. Act, 1947, is on the Party I. It is therefore necessary to refer to the provisions of Sec. 2(s) of the I. D. Act, 1947 which defines the term “Workman”.

“Section. 2(s), “Workman” means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be expressed or implied and for the purposes of any proceedings under this act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with or a consequence of that dispute or dismissal, discharge or retrenchment has led to that dispute, but does not include any such person.

- (1) *who is subject to the AIR Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or*
- (2) *who is employed in the police service or as an Officer or other employee of a prison or*
- (3) *who is employed mainly in a managerial or administrative capacity*
- (4) *who, being employed in a supervisory capacity draws wages exceeding ` 1,600/- per mensem or exercises either by the nature of the duties attached to the office or by reason of the powers vested in him functions mainly of a managerial nature.”*

20. Thus from the plain reading of definition of “Workman” under the I. D. Act, 1947, it appears that in order to prove the concerned employee is a “Workman” or not within the meaning of the said Act, he/she must prove that he/she was employed in an “Industry” as defined under the said Act and secondly he/she was employed to perform any of the work such as to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward.

21. On carefully perusal of the present order of reference issued by the Government of Goa, it appears that the Government of Goa has formed an opinion that there exist an industrial dispute between the Management of the Employer namely M/s. Rammi Khanna & Co. Pvt. Ltd. and the Party I. The Government of Goa therefore, in exercise of its powers conferred by clause (c) of sub-section (1) of Sec. 10 of the Industrial Disputes Act, 1947 has referred the present dispute for its adjudication to this Labour Court-II, Panaji-Goa constituted u/s 7 of the said Act.

22. The Party I filed his statement of claim setting forth his case in detail which is on record at Exb. 7. The Party I in his statement of claim filed in the present proceedings alleged that initially he was employed as a ‘Gardener’ with M/s. Maharani Guest House and thereafter to M/s. Ramesh Hotels and Resorts Pvt. Ltd., Utorda, Salcete-Goa, after transfer of the said property of M/s. Maharani Guest House. The Party I further alleged that he was employed as a ‘Gardener’ with M/s. Ramesh Hotels and Resorts Pvt. Ltd. since the year 1999 till the date of his termination w.e.f. 14-06-2005. Thus, from the pleadings of the Party I, it appears that it is the specific case of the Party I that he was employed with M/s. Ramesh Hotels & Resorts Pvt. Ltd., since the year 1999 till the date of his termination of his services w.e.f. 14-06-2005 and that his services has been terminated by Shri S. V. Balaram, the authorized signatory of M/s. Rammi Khanna and Co. Pvt. Ltd., without any authority. The Party I also examined himself and two witnesses namely Mr. Natividade Fernandes and Mr. Joao Pereira. The Party I also produced on record certain documentary evidence in support of his oral evidence.

23. The oral as well as documentary evidence adduced by the Party I on record indicates that the Party I was employed with M/s. Ramesh Hotels and Resorts Pvt. Ltd. since 1999 till the date of termination of his services w.e.f. 14-06-2005 and not for the Employer Company. The evidence on record indicates that the services of the Party I has

been terminated by Shri S. V. Balaram while acting as Constituted Attorney of M/s. Rammi Khanna and Co. Pvt. Ltd. vide letter dated 10-06-2005. Thus it is crystal clear that the Party I has pleaded and also proved that he was working for M/s. Ramesh Hotels and Resorts Pvt. Ltd., since 1999 till the date of termination of his services w.e.f. 14-06-2005 and that his services have been terminated by M/s. Rammi Khanna and Co. Pvt. Ltd. There is nothing on record that M/s. Ramesh Hotels and Resorts Pvt. Ltd. and M/s. Rammi Khanna and Pvt. Ltd. are one and the same legal entity. Thus in the absence of any evidence on record, it appears that M/s. Ramesh Hotels and Resorts Pvt. Ltd. and M/s. Rammi Khanna and Co. Pvt. Ltd. are separate, distinct and two different legal entities. Thus, the Party I failed to prove that he was an employee of the Employer, M/s. Rammi Khanna and Co. Pvt. Ltd. and that there exists any master-servant relationship between the Employer, M/s. Rammi Khanna and Company Pvt. Ltd. and himself. The Party I, having failed to prove the master-servant relationship between the Employer, M/s. Rammi Khanna and Company Pvt. Ltd. and himself, also failed to prove that he is a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947. No steps have been taken by either of the party to amend/modify the present order of reference issued by the Government of Goa by substituting the name of M/s. Ramesh Hotels and Resorts Pvt. Ltd. in place of M/s. Rammi Khanna and Co. Pvt. Ltd. Consequently the Party I also failed to prove that there exist an employer-employee relationship between M/s. Rammi Khanna and Co. Pvt. Ltd. and himself. The reference issued by the Government of Goa is therefore bad-in-law and not maintainable. The reference therefore does not survive. The issue Nos. 1 and 2 are therefore answered in the negative and issue No. 4 is answered in the affirmative.

24. Issue No. 3:

While deciding the issue Nos. 1, 2 & 4 herein above, I have come to the conclusion and held that the Party I is not a "Workman" as defined u/s 2(s) of the I. D. Act, 1947 and that the Party I also failed to prove that there exist any employer-employee relationship between the employer and himself as contemplated under the Industrial Disputes Act, 1947. The question of answering the issue No. 3 as to whether the termination of services of the Party I w.e.f. 14-06-2005 is illegal and does not arise at all. The issue No. 3 is therefore answered accordingly.

25. Issue No. 5:

While deciding the issue Nos. 1, 2 & 4 herein above, I have come to the conclusion and held that the Party I is not a "Workman" as defined u/s 2(s) of the I. D. Act, 1947 and that the Party I also failed to prove that there exist any employer-employee relationship between the employer and himself as contemplated under the Industrial Dispute Act, 1947. The Party I is not entitled to any relief. The issue No. 5 is therefore answered in the negative.

In view of above, I proceed to pass the following order:

ORDER

1. It is held that Shri Alex Calado, Gardener is not a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947.
2. It is further held that the reference as to whether the severance of the Workman and Employer relationship between Shri Alex Calado and the Management of M/s. Rammi Khanna & Co. Pvt. Limited, Majorda, Salcete, Goa with effect from 14-06-2005, is on account of termination of services of Shri Alex Calado, or on mutually agreed settlement between them, does not survive.
3. It is further held that the reference as to whether the termination of services of Shri Alex Calado, Gardener, is not legal and justified, also does not survive.
4. The Party I Shri Alex Calado is not entitled to any relief.
5. Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.

Department of Personnel

Order

File No. 5/15/2002-PER

- Read: 1. Order No. 6/4/91-PER-Part-I(B) dated 12-09-2006.
2) Corrigendum No. 6/4/91-PER-Part-I dated 20-10-2006.

In terms of Rule 17 of the Goa Civil Service Rules, 1997 and on the recommendation of the

Goa Public Service Commission as conveyed vide their letter No. COM/II/12/42(1)2012/372 dated 28-02-2013, the Governor of Goa is pleased to declare Shri R. K. Halarnkar, Junior Scale Officer of Goa Civil Service, to have satisfactorily completed his period of probation in the Junior Scale of Goa Civil Service, with immediate effect.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 20th March, 2013.

Order

File No. 3/23/93-PER(PF)

The Governor of Goa is pleased to order transfer and posting of the following IFS and DCF with immediate effect and until further order.

Sr. No.	Name of the Officer	Present place of posting	Transferred and posted as
1	2	3	4
1.	Shri D. N. F. Carvalho, IFS (AGMU: 1997)	OSD (Conservator of Forests), Goa Forest Development Corporation	Conservator of Forests (Wildlife and Eco Tourism) Panaji.
2.	Dr. G. Trinadh Kumar, IFS (AGMU: 2002)	Dy. Conservator of Forests (North Goa Division), Ponda	Dy. Conservator of Forests (WL&ET) North, Panaji.
3.	Ms. Yasodha, IFS (AGMU: 2009)	Assistant Conservator of Forests, South Goa Division, Margao	Dy. Conservator of Forests, Research & Utilization, Margao.
4.	Shri Sanjay Waradkar, IFS	Dy. Conservator of Forests, Wildlife and Eco Tourism, South	Dy. Conservator of Forests, South Goa Division with additional charge of Dy. Conservator of Forests, Wildlife and Eco Tourism, South.

1	2	3	4
5.	Shri M. V. Karkhanis	Dy. Conservator of Forests, Social Forestry, Ponda	Dy. Conservator of Forests, Social Forestry, Ponda with additional charge of Dy. Conservator of Forests (North Goa Division), Ponda.
6.	Shri Subhas Henriques	Dy. Conservator of Forests, Soil Conservation, Ponda	Dy. Conservator of Forests, Soil Conservation, Ponda with additional charge of Dy. Conservator of Forests, Working Plan, Ponda.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Additional Secretary (Personnel).

Porvorim, 21st March, 2013.

Order

File No. 22/8/2005-PER

Governor of Goa is pleased to transfer and post Shri Bosco B. F. George, ADC to Hon'ble Governor of Goa as Superintendent of Police (Anti Corruption Bureau) with effect from 30-03-2013 in public interest.

This issue in supersession of earlier order of even number dated 20-03-2013.

By order and in the name of the Governor of Goa.

Siddhi Halarnakar, Under Secretary (Personnel-II).

Porvorim, 25th March, 2013.

Order

File No. 5/23/77-PER

Read: Order No. 13/22/2006-PER(A) dated 31-12-2012.

Shri S. Lekshmanan, Superintending Engineer (ad hoc basis), shall officiate as Chief Electrical

Engineer, in addition to his own duties for initial period of six months, w.e.f. 01-04-2013 (A.N.), or till the post is filled on short term contract/regular basis, whichever is earlier, thereby relieving Shri Nirmal Braganza, Chief Electrical Engineer, on completion of his tenure of extension.

By order and in the name of the Governor of Goa.

Siddhi Halarnakar, Under Secretary (Personnel-II).
Porvorim, 28th March, 2013.

Order

File No. 6/3/89-PER

The Governor of Goa is pleased to promote, Dr. (Mrs.) Shamila Monteiro, Dy. Director of Fisheries, to the post of Director of Fisheries on ad hoc basis, for initial period of one year, w.e.f. 01-04-2013(A.N.), in the Pay Band—3 Rs. 15,600-39,100 with Grade Pay of Rs. 7,600/-, or till the post is filled on regular basis, whichever is earlier, thereby relieving Shri Nandkishor V. Verlekar, Director of Fisheries on completion of his tenure of extension.

2. The above ad hoc appointment will not bestow on the promoted Officer any claim for regular appointment and the service rendered on ad hoc basis in the Grade will not count for the purpose of seniority in that grade or for eligibility for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

Siddhi Halarnakar, Under Secretary (Personnel-II).
Porvorim, 28th March, 2013.

Department of Public Health

Order

No. 47/29/2005-I/PHD(PF.)

The following Medical Officers under Directorate of Health Services are transferred and posted at the places indicated against their names:

Sr. No.	Name of the Doctor	Present place of posting	Transferred and posted at
1	2	3	4
1.	Dr. Subodh Somnath Naik	Goa State AIDS Control Society, Panaji	Sub District Hospital, Ponda.

1	2	3	4
2.	Dr. James Jose	Sub District Hospital, Ponda	Goa State AIDS Control Society, Panaji.

By order and in the name of the Governor of Goa.

D. G. Sardessai, Additional Secretary (Health).
Porvorim, 21st March, 2013.

Order

No. 22/4/97-I/PHD

Read: Order No. 22/4/97-I/PHD dated 29-06-2012.

Smt. Gauri P. Varde, Chief Biochemist temporarily deployed at Hospicio Hospital, Margao, is repatriated to New Hospital, Ponda with immediate effect.

By order and in the name of the Governor of Goa.

Maria Seomara Desouza, Under Secretary (Health-II).

Porvorim, 6th December, 2011.

Corrigendum

No. 22/4/97-I/PHD

Read: Order No. 22/4/97-I/PHD dated 29-06-2012.

In the Government Order read at preamble, the pay scale attached to the post of Chief Biochemist under Directorate of Health Services, shall be read as `` 9,300-34,800+GP 4,600/-' instead of `` 9,300-34,800+GP ` 4,800/-'.

The rest of the contents remain unchanged.

Anju S. Kerkar, Under Secretary (Health-II).

Porvorim, 21st March, 2013.

Certificate

No. 45/5/2009-I/PHD

Read: Government Order No. 45/5/2009-I/PHD dated 11-03-2013.

Certified that the character and antecedents of Dr. Uma Gautam Kamat, Senior Ophthalmic Surgeon (Group "A" Gazetted) under the Directorate of Health Services have been verified by the District Magistrate, North Goa District,

Panaji-Goa and nothing adverse has come to the notice of the Government.

She has also been declared medically fit by the Medical Board, Goa Medical College, Bambolim.

Anju S. Kerkar, Under Secretary (Health-II).

Porvorim, 18th March, 2013.

Directorate of Food & Drugs Administration

Notification

No. DFDA/FSSA/1/2013/5855

In pursuance of Regulation 1.2.1.5 of the Food Safety and Standards (Licensing and Registration of Food Business) Regulation, 2011 and in supersession of previous notification No. DFDA/FSSA/1/2011/3755 dated 26th August, 2011, I, Shri Parimal Rai, the Commissioner of Food Safety, hereby notify the following persons of the Directorate of Food & Drugs Administration, Panaji to discharge the function of "Registering Authority" for the areas as specified against their respective names for the purpose of registration of food business as specified in the said regulation, with immediate effect.

Sr. No.	Name of the Officer	Area assigned
1.	Smt. Iva Fernandes, Assistant Local (Health) Authority	North Goa District.
2.	Shri Rajiv Ram Korde, Food Safety Officer	
3.	Smt. Sanjot Uday Kudalkar, Assistant Local (Health) Authority	South Goa District.
4.	Shri Nelson Elosio Fernandes, Food Safety Officer	

Parimal Rai, Commissioner, Food Safety State of Goa.

Panaji, 26th March, 2013.

Department of Public Work

Office of the Principal Chief Engineer

Order

No. 50/1/2012/PCE-PWD-ADM(II)/426

Sub.: One M. P. One Idea Competition.

Shri Ashok Dhaiwajna, Surveyor of Works of the Office of Superintending Surveyor of Works, PWD, Altinho, Panaji is hereby nominated as a Member on the Selection Committee for the purpose of Screening the applications received under "One MP One Idea" Competition.

This is issued with the approval of the Government.

By order and in the name of the Governor of Goa.

J. J. S. Rego, Principal Chief Engineer, & ex officio Addl. Secretary (PW.D.).

Panaji, 28th March, 2013.

Order

No. 34/4/2013/PCE-PWD-ADM(II)/427

Governor of Goa is pleased to promote Shri Arvind A. Patil, Superintending Engineer/ /Superintending Surveyor of Works on ad hoc basis to the post of Chief Engineer in Public Works Department, Group 'A', Gazetted in the Pay Band—4 ` 37,400-67,000+G.P. ` 10,000 with immediate effect for a period of one year or till the post is filled on regular basis, whichever is earlier and posted in Swerage & Infrastructural Development Corporation of Goa Ltd., on deputation. He stands relieved of his duties in this Department with effect from today beforenoon i.e. 01-04-2013 B.N.

The above ad hoc promotion will not bestow on the promoted officer any claim for regular promotion nor the service rendered on ad hoc basis in the grade will be counted for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

The deputation of the aforesaid Officer is initially for a period one year and shall be governed by the terms and conditions contained in O.M. No. 13/4/74-PER dated 12-2-1999 of the Department of Personnel, Government of Goa, Secretariat, Panaji as amended from time to time.

His pay shall be fixed at the minimum of PB—4 ` 37,400-67,000+G.P. ` 10,000.

By order and in the name of the Governor of Goa.

J. J. S. Rego, Principal Chief Engineer, & ex officio Addl. Secretary (PW.D.).

Panaji, 1st April, 2013.

Notification

No. 5-1-PCE-PWD-EO-2012-13

Sub: Replacement of service connection pipeline of water supply consumers to save precious drinking water.

It is seen that lot of precious drinking water is lost due to broken/leaking service connection pipeline of water supply due to various reasons. The leakages many times affect the movement of vehicular traffic and the pedestrians.

In order to avoid such inconvenience to the public and to avoid the wastage of water the following is decided.

1. The broken/leaking water supply service connection pipeline will be replaced departmentally on intimation to concerned consumer no sooner a leakage is observed.
2. Road cutting permission required in this regard will be taken by the concerned water supply division/sub-division from the concerned authority.
3. The trench opened for replacement of pipeline will be completely filled with good concrete especially when black top of the road surface is cut.
4. The cost towards the materials, labour, etc., involved in this regard will be charged to the consumers in their monthly water supply bills.

All the water supply consumers are requested to take note of this and co-operate in saving the precious water.

Sd/- (J.J.S. Rego), Principal Chief Engineer, & ex officio Addl. Secretary (PWD).

Panaji, 26th March, 2013.

◆◆◆
Department of Revenue

Order

No. 22/30/2010-RD

Whereas, the Government of Goa, vide Notification No. 22/30/2010 dated 15-09-2011, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Official Gazette, Series II No. 25, dated 22-09-2011, notified that the land specified in the Schedule thereof (hereinafter referred to as

the "said land") is likely to be needed for public purpose viz. Land Acquisition for establishment of transport office and other infrastructure at Ponda in Ponda Taluka (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa, considered the report made by the Collector under sub-section (2) of Section 5A of the said Act and on being satisfied that the said land is needed for the said public purpose, vide Notification No. 22/30/2010 dated 25-10-2012, issued under Section 6 of the said Act, and published in the Official Gazette, Series II No. 31 dated 01-11-2012, declared that the said land is required for the said public purpose.

Now, therefore, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa hereby directs the Collector, North-Goa District, Panaji-Goa to take the order for acquisition of the said land.

By order and in the name of the Governor of Goa.

Ashutosh Apte, Under Secretary (Revenue-I).

Porvorim, 25th March, 2013.

Notification

No. 22/10/2012-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for Garbage Disposal/Treatment Plant at Moira Village of Bardez Taluka.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector

appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Deputy Collector/SDO, Mapusa, Bardez-Goa, to perform the functions of a Collector, North Goa District, Panaji-Goa, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

- 1) The Collector, North Goa District, Panaji-Goa.
- 2) The Deputy Collector/SDO, Mapusa, Bardez-Goa.
- 3) The Block Development Officer, Mapusa, Bardez-Goa.
- 4) The Director of Settlement & Land Records, Panaji--Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector/SDO, Mapusa, Bardez-Goa, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Under Section 4)

(Description of the said land)

<i>Taluka:</i> Bardez		<i>Village:</i> Moira
Survey No./ Sub. Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
123/12 (Part)	O: Comunidade of Moira.	300

Boundaries:

North : S. No. 123/12.

South : S. No. 123/12.

East : S. No. 123/12.

West : S. No. 123/8

Total: 300

By order and in the name of the Governor
of Goa.

Ashutosh Apte, Under Secretary (Revenue-I).

Porvorim, 28th March, 2013.

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